

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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No: 25-1641

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State of Iowa; State of North Dakota; State of Alaska; State of Arkansas; State of Florida; State of Georgia; State of Idaho; State of Kansas; Commonwealth of Kentucky; State of Louisiana; State of Missouri; State of Montana; State of Nebraska; State of South Carolina; State of South Dakota; State of Tennessee; State of Texas; State of Utah; State of West Virginia; State of Wyoming; State of Virginia

Plaintiffs - Appellees

v.

Council on Environmental Quality; Brenda Mallory, in her official capacity as Chair

Defendants - Appellees

Alaska Community Action on Toxics

Intervenor - Appellant

Center for Biological Diversity

Intervenor

Center for Environmental Health; Center for Food Safety

Intervenors - Appellants

Environmental Law and Policy Center

Intervenor

Environmental Protection Information Center; Food and Water Watch; Fort Berthold POWER;  
Friends of the Earth; Green Latinos

Intervenors - Appellants

Labor Council for Latin American Advancement

Intervenor

Malama Makua; National Parks Conservation Association; National Wildlife Federation; Ocean Conservancy

Intervenors - Appellants

People's Collective for Environmental Justice

Intervenor

Rio Grande International Study Center; Southern Utah Wilderness Alliance; WE ACT for Environmental Justice; Wilderness Society, The; Winter Wildlands Alliance

Intervenors - Appellants

State of Washington; State of California; State of Colorado; State of Illinois; State of Maine; State of Maryland; Commonwealth of Massachusetts; People of the State of Michigan; State of New Jersey; State of New Mexico; State of New York; State of Oregon; State of Wisconsin; District of Columbia; New York, City of

Intervenors

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No: 25-1705

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State of Iowa; State of North Dakota; State of Alaska; State of Arkansas; State of Florida; State of Georgia; State of Idaho; State of Kansas; Commonwealth of Kentucky; State of Louisiana; State of Missouri; State of Montana; State of Nebraska; State of South Carolina; State of South Dakota; State of Tennessee; State of Texas; State of Utah; State of West Virginia; State of Wyoming; State of Virginia

Plaintiffs - Appellees

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Council on Environmental Quality; Brenda Mallory, in her official capacity as Chair

Defendants - Appellees

Alaska Community Action on Toxics; Center for Biological Diversity; Center for Environmental Health; Center for Food Safety; Environmental Law and Policy Center; Environmental Protection Information Center; Food and Water Watch; Fort Berthold POWER; Friends of the Earth; Green Latinos; Labor Council for Latin American Advancement; Malama Makua; National Parks Conservation Association; National Wildlife Federation; Ocean Conservancy; People's Collective for Environmental Justice; Rio Grande International Study Center; Southern Utah Wilderness Alliance; WE ACT for Environmental Justice; Wilderness Society, The; Winter Wildlands Alliance

Intervenors

State of Washington; State of California

Intervenors - Appellants

State of Colorado

Intervenor

State of Illinois

Intervenor - Appellant

State of Maine

Intervenor

State of Maryland; Commonwealth of Massachusetts; People of the State of Michigan; State of  
New Jersey; State of New Mexico; State of New York; State of Oregon; State of Wisconsin;  
District of Columbia

Intervenors - Appellants

New York, City of

Intervenor

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Appeals from U.S. District Court for the District of North Dakota - Western  
(1:24-cv-00089-DMT)

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## **JUDGMENT**

Before SMITH, BENTON, and KELLY, Circuit Judges.

Appellants' motions to dismiss the appeal as moot and to vacate the district court's  
summary judgment decision have been considered by the court and are granted.

July 29, 2025

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Susan E. Bindler